

College: USC Rookie Yr: 2005  
Ht., Wt.: 6'0", 238  
ITULA MILI  
Seattle Seahawks/TE/#88  
College: Brigham Young Rookie Yr: 1998  
Ht., Wt.: 6'4", 260  
WAYNE HUNTER  
Seattle Seahawks/T/#73  
College: Hawaii Rookie Yr: 2003  
Ht., Wt.: 6'5", 303

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### AMERICA'S ENERGY POLICIES

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from California (Ms. LEE).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. McDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, last night we heard the President deliver his State of the Union message from this Hall. By the light of day, today, we know that the glow was artificial and the highlights were inaccurate at best.

I will enter into the RECORD at this point a story from today's Los Angeles Times.

[From the Los Angeles Times, Feb. 1, 2006]

#### BUSH STRETCHES TO DEFEND SURVEILLANCE

(By Peter Wallsten and Maura Reynolds)

WASHINGTON.—President Bush received a roaring ovation Tuesday for his prime-time defense of wiretapping phone calls without warrants. But Bush's explanation relied on assumptions that have been widely questioned by experts who say the president offers a debatable interpretation of history.

Defending the surveillance program as crucial in a time of war, Bush said that "previous presidents have used the same constitutional authority" that he did. "And," he added, "federal courts have approved the use of that authority."

Bush did not name names, but was apparently reiterating the argument offered earlier this month by Atty. Gen. Alberto R. Gonzales, who invoked Presidents Lincoln, Wilson and Franklin D. Roosevelt for their use of executive authority.

However, warrantless surveillance within the United States for national security purposes was struck down by the U.S. Supreme Court in 1972—long after Lincoln, Wilson, and Roosevelt stopped issuing orders. That led to the 1978 passage of the Foreign Intelligence Surveillance Act that Bush essentially bypassed in authorizing the program after the Sept. 11 attacks.

Since the surveillance law was enacted, establishing secret courts to approve surveillance, "the Supreme Court has not touched this issue in the area of national security," said William Banks, a national security expert at Syracuse Law School.

"He might be speaking in the broadest possible sense about the president exercising his

authority as commander-in-chief to conduct a war, which of course federal courts have upheld since the beginning of the nation," Banks said. "If he was talking more particularly about the use of warrantless surveillance, then he is wrong."

Bush's historical reference on domestic spying marked one of several points in his speech in which he backed up assertions with selective uses of fact, or seemed to place a positive spin on his own interpretation.

On his headline-grabbing pledge to decrease U.S. reliance on Middle East oil by 75% over the next 20 years, Bush's words seemed to suggest a dramatic new program to reduce dependence on foreign oil.

But experts point out that the U.S. gets only a fraction—about 10%—of its oil imports from the Middle East. In fact, the majority now comes from Canada and Mexico—and Bush said nothing on Tuesday about them.

Speaking about Iraq, Bush argued that "our coalition has been relentless in shutting off terrorist infiltration." But he may have left the wrong impression about how far U.S.-led forces have gotten in closing off the huge border areas, especially the 375-mile-long one between Syria and Iraq.

Administration officials have often complained that the Syrian government does little to police the border and have said it may not be possible to close it, given its size.

Two weeks ago, Rep. H. James Saxton (R-NJ), chairman of a House Armed Services subcommittee, complained in a column in the Washington Times that the border is "extremely porous" and called for new steps to cut off the flow of enemy fighters.

Bush made a number of claims for his economic stewardship that were technically accurate but told only a part of the story.

"In the last 2½ years, America has created 4.6 million new jobs," Bush said. Although the claim is essentially true, he did not say that the United States lost 2.6 million jobs in the first 2½ years of his presidency.

"In the last five years," Bush continued, "the tax relief you passed has left \$880 billion in the hands of American workers, investors, small businesses and families, and they have used it to help produce more than four years of uninterrupted economic growth."

But to many economists, the cause-and-effect relationship is not so stark; they credit tax cuts of 2001 and 2003 with helping to turn around a stagnant economy, but now they worry that the resulting deficits may retard it.

"Every year of my presidency, we have reduced the growth of non-security discretionary spending," Bush said. True again, but this represents less than 20% of all spending. Including defense and the giant benefit programs such as Social Security and Medicare, spending has risen by about 30% in the five Bush years.

The president also seemed to ignore Supreme Court precedent when he called for Congress to give him the "line item veto." But Congress did that once, in 1996, and it was used once, by former President Clinton. But in 1998, a federal judge ruled that it was unconstitutional. That was affirmed by a 6-3 decision of the Supreme Court.

Bush praised his administration's efforts to help the Gulf Coast recover from Hurricane Katrina. "A hopeful society comes to the aid of fellow citizens in times of suffering and emergency, and stays at it until they are back on their feet," he said.

But Bush omitted any mention of tensions between Gulf State officials and the administration over responsibility for the botched response to the storm. "There was nothing in terms of new money," said Rep. Bennie Thompson (D-Miss.). Perhaps Bush's most

controversial language came as he defended the surveillance program.

The president echoed earlier administration assertions that the domestic surveillance program would have been useful before the Sept. 11 attacks. Bush said two Sept. 11 hijackers living in San Diego made telephone calls to Al Qaeda associates overseas, but that "we did not know about their plans until it was too late."

However, The Times has previously reported that some U.S. counterterrorism officials knowledgeable about the case blame an interagency communications breakdown, not a surveillance failure or shortcomings of the Foreign Intelligence Surveillance Act.

Point by point, the Times compared the President's rhetoric to America's reality. They are not even close. Here is what the Times said about the President's domestic spying program. Defending the surveillance program is crucial in a time of war. Bush said that Presidents have used the same constitutional authority that he did, and he said Federal courts have approved the use of that authority.

Bush did not name names, but was apparently reiterating the argument offered earlier by the Attorney General, Alberto Gonzales, who invoked Presidents Lincoln, Wilson, and Franklin Delano Roosevelt for their use of executive authority.

However, warrantless surveillance within the United States for national security purposes was struck down by the U.S. Supreme Court in 1972, long after Lincoln, Wilson, and Roosevelt stopped issuing orders.

This led to the passage of the 1978 Foreign Intelligence Surveillance Act that Bush essentially bypassed in authorizing the program after September 11. The analysis comes from one of America's bedrock institutions of journalism, facts, not spin.

Here is the analysis of the President's remarks about the war. Speaking about Iraq, Bush argued that "our coalition has been relentless in shutting off terrorism infiltration." But he may have left the wrong impression about how U.S.-led forces have gotten in closing off the huge border areas, especially the 375-mile border between Syria and Iraq.

Administration officials have often complained the Syrian Government does little to police the border, and many have said it may not be possible to close it given its size.

Let me mention one other example. The President finally got religion on America's energy crisis. But he needs an atlas and a vision. Here is what the Times said. On his headline-grabbing pledge to decrease U.S. reliance on Middle Eastern oil by 75 percent over the next 20 years, Bush's words seem to suggest a dramatic new program to reduce dependence on foreign oil.

But experts point out that the U.S. gets only a fraction, about 10 percent, of its oil imports from the Middle East. In fact, the majority comes from Canada and Mexico, and Bush said nothing Tuesday night about them.

I was proud the President used my words in his speech: "America is addicted to oil." But he did not give a

proper prescription. But beyond co-opting Democratic philosophy and Democratic programs, the President is an oil man through and through. Today's New York Times said this: "President Bush devoted 2 minutes and 15 seconds of the State of the Union message to speak about energy independence."

It was hardly the bold signal we have been waiting for years for about global warming and deadly struggles in the Middle East where everything takes place in the context of what Mr. Bush rightly called our addiction to imported oil.

Last night's remarks were woefully insufficient. The country's future economic and national security depend on whether the Americans can control their enormous appetite for fossil fuels. This is not a matter to be lumped in a laundry list of other initiatives, including in a once-a-year speech to Congress. It is a key to everything else that happens.

I will enter at this point in the RECORD the New York Times editorial.

[From the New York Times, Feb. 1, 2006]

#### THE STATE OF ENERGY

President Bush devoted two minutes and 15 seconds of his State of the Union speech to energy independence. It was hardly the bold signal we've been waiting for through years of global warming and deadly struggles in the Middle East, where everything takes place in the context of what Mr. Bush rightly called our "addiction" to imported oil.

Last night's remarks were woefully insufficient. The country's future economic and national security will depend on whether Americans can control their enormous appetite for fossil fuels. This is not a matter to be lumped in a laundry list of other initiatives during a once-a-year speech to Congress. It is the key to everything else.

If Mr. Bush wants his final years in office to mean more than a struggle to re-spin failed policies and cement bad initiatives into permanent law, this is the place where he needs to take his stand. And he must do it with far more force and passion than he did last night.

American overdependence on oil has been a disaster for our foreign policy. It weakens the nation's international leverage and empowers exactly the wrong countries. Last night Mr. Bush told the people that "the nations of the world must not permit the Iranian regime to gain nuclear weapons," but he did not explain how that will happen when those same nations are so dependent on Tehran's oil. Iran ranks second in oil reserves only to Saudi Arabia, where members of the elite help finance Osama bin Laden and his ilk, and where the United States finds it has little power to stop them.

Oil is a seller's market, in part because of America's voracious consumption. India and China, with their growing energy needs, have both signed deals with Iran. Rogue states like Sudan are given political cover by their oil customers. The United Nations may wish to do something about genocide in Darfur or nuclear proliferation, but its most powerful members are hamstrung by their oil alliances with some of the worst leaders on the planet.

Even if the war on terror had never begun, Mr. Bush would have an obligation to be serious about the energy issue, given the enormous danger to the nation's economy if we fail to act. His own Energy Department predicts that with the rapid development of India and China, annual global consumption

will rise from about 80 million barrels of oil a day to 119 million barrels by 2025. Absent efforts to reduce American consumption, these new demands will lead to soaring oil prices, inflation and a loss of America's trade advantage. It should be a humbling shock to American leaders that Brazil has managed to become energy self-sufficient during a period when the United States was focused on building bigger S.U.V.'s.

Part of the answer, as Mr. Bush indicated last night, is the continued development of alternative fuels, especially for cars. The Energy Department has addressed this modestly, and last night the president said his budget would add more money for research. That's fine, but hardly the kind of full-bore national initiative that will pump large amounts of money into the commercial production of alternatives to gasoline.

When it comes to cars, much of the research has already been done—Brazil got to energy independence by figuring out how to get its citizens home from work in cars run without much gasoline. The answer is producing the new fuels that have already been developed and getting cars that use them on the lots. There are several ways to make that happen. The president could call for higher fuel economy standards for car manufacturers. He could bring up the subject of a gas tax—the most effective way of getting Americans to buy fuel-efficient cars, and a market-based tax on consumption that conservative lawmakers ought to embrace if they are honest with themselves and their constituents. But Mr. Bush took the safe, easy and relatively meaningless route instead.

There is still an enormous amount to be done to find new sources of clean, cheap power to heat homes and create electricity. But regrettably, the president made it clear last night that he would rather spend the country's resources on tax cuts for the wealthy. The oil companies are currently flush with profits from the same high prices that have plagued consumers, and the president might have asked the assembled legislators whether their current tax breaks might be redirected into a real energy initiative.

Simply calling for more innovation is painless. The hard part is calling for anything that smacks of sacrifice—on the part of consumers or special interests, and politicians who depend on their support. After 9/11, the president had the perfect moment to put the nation on the road toward energy independence, when people were prepared to give up their own comforts in the name of a greater good. He passed it by, and he missed another opportunity last night.

Of all the defects in Mr. Bush's energy presentation, the greatest was his unwillingness to address global warming—an energy-related emergency every bit as critical as our reliance on foreign oil. Except for a few academics on retainer at the more backward energy companies, virtually no educated scientist disputes that the earth has grown warmer over the last few decades—largely as a result of increasing atmospheric concentration of carbon dioxide produced by the burning of fossil fuels.

The carbon lodged in the atmosphere by the Industrial Revolution over the last 150 years has already taken a toll: disappearing glaciers, a thinning Arctic icecap, dead or dying coral reefs, increasingly violent hurricanes. Even so, given robust political leadership and technological ingenuity, the worst consequences—widespread drought and devastating rises in sea levels—can be averted if society moves quickly to slow and ultimately reverse its output of greenhouse gases. This will require a fair, cost-effective program of carbon controls at home and a good deal of persuasion and technological as-

sistance in countries like China, which is building old-fashioned, carbon-producing coal-fired power plants at a frightening clip.

Mr. Bush said he would look for cleaner ways to power our homes and offices, and provide more money for the Energy Department's search for a "zero emission" coal-fired plant whose carbon dioxide emissions can be injected harmlessly into the ground without adding to the greenhouse gases already in the atmosphere. But once again he chose to substitute long-range research—and a single, government-sponsored research program at that—for the immediate investments that have to be made across the entire industrial sector.

That Mr. Bush has taken a pass on this issue is a negligence from which the globe may never recover. While he seems finally to have signed on to the idea that the earth is warming, and that humans are heavily responsible, he has rejected serious proposals to do anything about it and allowed his advisers on the issue to engage in a calculated program of disinformation. At the recent global summit on warming, his chief spokesmen insisted that the president's program of voluntary reductions by individual companies had resulted in a reduction in emissions, when in fact the reverse was true.

The State of the Union speech is usually a feel-good event, and no one could fault Mr. Bush's call for research, or fail to applaud his call for replacing more than 75 percent of the nation's oil imports from the Middle East within the next two decades. But while the goal was grand, the means were minuscule. The president has never been serious about energy independence. Like so many of our leaders, he is content to acknowledge the problem and then offer up answers that do little to disturb the status quo. If the war on terror must include a war on oil dependence, Mr. Bush is in retreat.

Let me just read one other excerpt, because it is very important. Of all of the defects in Mr. Bush's energy presentation, the greatest was his unwillingness to address global warming, an energy-related emergency every bit as critical as our reliance on foreign oil.

Except for a few academics on retainer at the most backward energy companies, virtually no educated scientist disputes that the Earth has grown warmer over the last decades. This is the New York Times talking. Largely as a result of increasing atmospheric concentrations of carbon dioxide produced by burning fossil fuels, gas. I read this and wonder how many alarms have to be sounded before the leaders follow.

With new eyes in space like the great Hubble telescope, we understand the danger of great meteorites striking the Earth. Some are large enough to be called planet killers. We fear what might come from above, but we ignore what is coming from right here on the Earth.

Mr. Speaker, the President could have done better. But he did not have it in him.

The extinction of the dinosaurs provided for the extraction of fossil fuel.

The addiction to oil could provide for the extraction of mankind from a planet too hot to inhabit.

Is it science fiction or a looking glass? Too many scientists know we are looking into the future, and ignoring it.

I urge the American people to read today's LA Times and New York Times.

Compare the common sense expressed in bedrock journalism against Republican's unlimited access to uncommon hype. You decide.

Mr. Speaker, like oil, even Republican hype is a finite resource, and that's the best energy news for America in a decade.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### ANOTHER ACCUTANE DEATH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

Mr. STUPAK. Mr. Speaker, on this first day of the Second Session of the 109th Congress, I sadly inform the House of Representatives of another Accutane death. I will enter into the RECORD an article from the Appleton Post Crescent. The article is dated today, February 1, 2006. If I may, I would like to quote from this newspaper.

□ 1845

"Justin Zimmer shot himself January 15 in his bedroom, a shocking suicide his family struggles to comprehend and fears may be tied to Justin's acne medication.

"The day of Justin's death, the family had returned home from a meeting to discuss a trip planned by Justin's church youth group.

"His parents, Wendy and Warren, left for the grocery store. An hour later they pulled into the driveway and learned Justin was dead.

"How could their happy, high-achieving teen, who couldn't wait to take his driver's test on his 16th birthday Thursday, end a life of so much promise?

"All the Zimmers and their other two children are left with are questions, and the only answer they can come up with to explain his death is Accutane, the prescription drug Justin started taking in December for severe acne."

I wish to extend my heartfelt condolences to the Zimmer family. I, too, know the struggle and heartache and pain that they are going through as I lost my son B.J. on May 14, 2000.

To go on the article says that the FDA and the drug manufacturer of Accutane, Roche, indicated that the rate of depression among Accutane users is 1.5 times higher than among nonusers, according to a December 7, 2004 report in USA Today.

As Mr. Zimmer said, "They can snap in as little as an hour. I'd just as soon see it off the market," meaning Accutane. "If this can happen to a kid with all this going for him, think what

could happen to a kid who's struggling?"

"They shouldn't sell it to anyone . . ."

Another doctor, "an Appleton dermatologist, said he has looked at a number of studies and has no qualms about prescribing isotretinoin," which is the medical term for Accutane.

He goes on and says, this dermatologist, "It's something we're concerned about and we ask about, but we don't see any scientific evidence to say there is an increased risk for it." He said the side effects, including the potential for depression and suicide, are there, but he is not concerned about it.

Mr. Speaker, I have come to this floor before, and I have brought forth this PET scan of the frontal orbital cortex. If you take a look at it, this is the medical evidence that directly links Accutane to depression and suicide ideation and suicide in the users of Accutane.

If you take a look at it, here is the baseline of Accutane over on my far right. That is the frontal orbital cortex of the brain. When you take a look there is all the red in the picture over here, that is the baseline. Four months later they take a PET scan of the brain over here, post-Accutane, 4 months on Accutane. Notice there is very little redness in this front part of the brain, the frontal orbital cortex, the front part of the brain we know causes depression.

The reason why there is no redness is because the metabolism of the brain has been stopped or affected by the use of the Accutane. In this particular slide, this person had a 21 percent decrease in brain activity while on Accutane.

So, when this dermatologist says there is no medical evidence, there is. Here is the direct evidence. This has been published in the American Journal of Psychiatry last year. Also, there are animal tests which show the same thing, how Accutane actually destroyed a brain in these animals.

We can even take it one step further. This person who has this PET scan here, if you gave this person, a number of dermatologists said they would monitor them, if you give this person the Beck's depression test, which is standard indication of signs of depression to see if the person is suffering from depression, this person who had a 21 percent decrease in brain activity passed every one of them. The only reason why they knew something was going on besides the PET scan was the personal behavior had changed. Unless you are monitoring that person all the time you never would know that from the Beck's depression test because it did not show a change in personality.

Getting back to the young man that unfortunately took his life on January 15, his parents went on to say, "He had an appointment this Thursday to take his driver's test and it was one of the few times he'd take off of school. We were shopping for cars."

"Justin was sensitive and shy, with a ready smile and a penchant for perfection, said his parents. At school, he was sophomore class president, and ranked No. 1 in his class with straight A's. He was in wrestling, football and baseball."

Mr. Speaker, we presented these findings of this PET scan to then-Secretary of Health and Human Services Secretary Thompson and also to then Mr. Crawford, and we are still waiting for answers back as to these PET scans and what it shows.

Mr. Speaker, there are so many unanswered questions. My time has expired. I look forward to continuing this discussion on this serious drug, and it should be pulled from the market.

The article I previously referred to is as follows:

[From the Post-Crescent, Feb. 1, 2006]

#### ACCUTANE BLAMED IN SUICIDE

(By Kathy Walsh Nufer)

MENASHA.—Justin Zimmer shot himself Jan. 15 in his bedroom, a shocking suicide his family struggles to comprehend and fears may be tied to Justin's acne medication.

The day of Justin's death, the family had returned home from a meeting to discuss a trip planned by Justin's church youth group.

His parents, Wendy and Warren, left for the grocery store. An hour later they pulled into the driveway and learned Justin was dead.

How could their happy, high-achieving teen, who couldn't wait to take his driver's test on his 16th birthday Thursday, end a life of so much promise?

All the Zimmers and their other two children are left with are questions, and the only answer they can come up with to explain his death is Accutane, the prescription drug Justin started taking in December for severe acne.

Accutane is a brand name of the anti-acne drug isotretinoin, which went on the market in 1982.

It has become controversial because of its serious side effects, including birth defects, mental disorders and even suicide.

Those side effects, however, are so rare that many doctors think they statistically are insignificant, and the Food and Drug Administration only warns people to be aware of them, not to abstain from using the drug.

The Zimmers blame their son's death on the drug, said Warren, who was aware of the side effects but saw no warning signs in his son's behavior.

"That's why we felt it necessary to get this out. We want parents to know just how sudden this can come on. If we can save someone, maybe his death isn't a total loss and someone else doesn't have to go through this."

U.S. Rep. Bart Stupak, D-Mich., whose son committed suicide in 2000 while taking Accutane, has pressed for more public warnings about the link between depression and isotretinoin, more restricted distribution and more tracking of side effects.

The Zimmers say they have talked to countless people who know someone taking isotretinoin. "It's more prevalent than you think," Warren said.

The couple now urges parents to take their teens off the medication if they are on it.

"They can snap in as little as an hour," Warren said. "I'd just as soon see it off the market. If this can happen to a kid with all this going for him, think what could happen to a kid who's struggling?"

"They shouldn't sell it to anyone under 18," Wendy said.